



IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

-----X
JANET BURTON, individually and on
behalf of all others similarly situated,

Plaintiff,

v.

iYOGI, INC., a New York corporation,

Defendant.

-----X
Case No.: 1:13-cv-06926-DAB

**STIPULATED REQUEST TO STAY PENDING CASE DEADLINES
TO FACILITATE SETTLEMENT PROCEEDINGS**

Plaintiff Janet Burton (“Plaintiff”) and Defendant iYogi, Inc. (“Defendant”) (together, the “Parties”), by and through their undersigned counsel, hereby stipulate and agree, subject to Court approval, to stay the litigation of this matter and all pending deadlines to facilitate the Parties’ ongoing discussions regarding the potential resolution of this matter. In support of the instant stipulation, the Parties state as follows:

WHEREAS, on September 30, 2013, Plaintiff filed her class action complaint (Dkt. 1);

WHEREAS, on August 28, 2014, Defendant iYogi and Plaintiff’s counsel convened a private mediation before The Honorable Morton Denlow (ret.) of JAMS in Chicago, Illinois, in a related matter captioned *Estrada, et al. v. iYogi, Inc.*, No. 13-cv-01989 (E.D. Cal.) (the “*Estrada* matter”);

WHEREAS, following the mediation, the Parties have been actively engaged in ongoing settlement discussions with the assistance of Judge Denlow regarding a potential global

resolution of both the *Estrada* matter and this case, including exchanging additional information relevant to evaluating any potential resolution;

WHEREAS, in an effort to reduce their and the Court's expenditure of time and other resources, and to allow them to instead focus their efforts on the potential settlement of this case, the Parties have conferred and agreed, subject to the Court's approval, to stay all litigation and pending case deadlines;

WHEREAS, the Parties further propose that they submit a joint report to the Court on the status of their settlement discussions no later than January 8, 2014, at which time they will inform the Court whether a settlement has been reached, whether additional time is needed to complete their discussions, or if not, propose a revised schedule of case deadlines so as to proceed with the litigation;

WHEREAS, based on the foregoing, good cause exists to grant the stay of this matter, and the Parties do not seek the relief requested herein for any improper purpose.

NOW THEREFORE, the Parties hereby stipulate and agree, subject to Court approval, that this matter and all pending case deadlines are hereby stayed and that the Parties will submit a joint report on the status of their settlement discussions to the Court no later than January 8,

5.
2014.
DAB
12/11/14

Respectfully submitted,

JANET BURTON, individually and on behalf of all others similarly situated,

Dated: December 8, 2014

By: /s/ Benjamin H. Richman
One of Plaintiff's Attorneys

Rafey S. Balabanian (Admitted *Pro Hac Vice*)
rbalabanian@edelson.com
Benjamin H. Richman (Admitted *Pro Hac Vice*)
brichman@edelson.com
Chandler R. Givens (Admitted *Pro Hac Vice*)
cgivens@edelson.com
David I. Mindell (Admitted *Pro Hac Vice*)
dmindell@edelson.com
EDELSON PC
350 North LaSalle, Suite 1300
Chicago, Illinois 60654
Tel: 312.589.6370
Fax: 312.589.6378

Lee A. Weiss
lweiss@bernsweiss.com
BERNS WEISS LLP
585 Stewart Avenue, Suite L-20
Garden City, New York 11530
Tel: 516.501.9640
Fax: 818.999.1500

iYOGI, INC.,

Dated: December 8, 2014

By: /s/ Jayant W. Tambe

One of Defendant's Attorneys

Jayant W. Tambe
jtambe@jonesday.com
Thomas E. Lynch
telynch@jonesday.com
Paul Bartholomew Green
bartgreen@jonesday.com
JONES DAY
222 East 41st Street
New York, New York 10017
Tel: 212.326.3939
Fax: 212.755.7306

[PROPOSED] ORDER

PURSUANT TO STIPULATION, IT IS HEREBY ORDERED:

This matter and all pending case deadlines are hereby stayed. The Parties shall submit a joint report on the status of their settlement discussions to the Court no later than January 8,

5. *DAB*
2014. *12/11/14*

IT IS SO ORDERED.

Dated: 12/11, 2014

Deborah A. Batts
HONORABLE DEBORAH A. BATTs
UNITED STATES DISTRICT JUDGE